

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION
No. 2:06-CR-00011-BR

UNITED STATES OF AMERICA

v.

WILLIAM LEVETTE HARNEY JR.

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ORDER

This matter is before the court on defendant's *pro se* request for early termination of supervised release. (DE # 84.)

The court considers his request under 18 U.S.C. § 3583(e). Under that provision,

The court may, after considering the factors set forth in section 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6), and (a)(7)—
(1) terminate a term of supervised release and discharge the defendant released at any time after the expiration of one year of supervised release, pursuant to the provisions of the Federal Rules of Criminal Procedure relating to the modification of probation, if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice[.]

18 U.S.C. § 3583(e).

Defendant has served approximately two years of a five-year term of supervised release. According to defendant, he “has shown exemplary post-conviction adjustment and conduct in his supervision responsibilities. He has fully complied with the court’s express terms of supervision [He] has lived a productive lifestyle at the same address by holding steady employment . . . [and] has been happily married” (Mot., DE # 84, at 2.)

While the court commends defendant for remaining a productive, law-abiding citizen since his release from incarceration, his supervising probation officer has not recommended early termination. She is the person in the best position to assess whether defendant’s conduct

warrants early termination, and the court urges defendant to communicate directly with her about his desire for early termination.

The court finds that the interest of justice would not be served by the early termination of defendant's supervised release term. Defendant's request is DENIED.

This 2 October 2019.

A handwritten signature in green ink, appearing to read "W. Earl Britt", is positioned above a horizontal line.

W. Earl Britt
Senior U.S. District Judge